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TREATIES AND OTHER INTERNATIONAL ACTS SERIES 9288

COLLECTING AND CONSERVING WATER SUPPLIES FROM SURFACE RUNOFF

Agreement Between the
UNITED STATES OF AMERICA
and the UNITED ARAB EMIRATES

Amending and Extending the
Agreement of July 10, 1976

Effected by Exchange of Letters
Signed at Abu Dhabi June 24 and July 25, 1978

NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89–497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

". . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

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UNITED ARAB EMIRATES

Collecting and Conserving Water Supplies From Surface Runoff

Agreement amending and extending the agreement of July 10, 1976.
Effected by exchange of letters
Signed at Abu Dhabi June 24 and July 25, 1978;
Entered into force July 25, 1978;
Effective July 1, 1978.

The American Ambassador to the Minister of Agriculture and Fisheries of the United Arab Emirates

EMBASSY OF THE
UNITED STATES OF AMERICA
Abu Dhabi, U.A.E.

June 24, 1978

His Excellency
Saeed Mohammad Raqbani
Minister of Agriculture and Fisheries
Dubai, United Arab Emirates

Excellency:

I refer to the Agreement between the Government of the Emirate of Abu Dhabi and the Government of the United States of America (copy attached) for the services of the Bureau of Reclamation, United States Department of the Interior signed July 10, 1976.[1] The initial duration of this agreement was for a period of 18 months expiring on June 30, 1978. I refer further to Your Excellency's letter to me dated January 8, 1978 (copy attached) in which you expressed the desire of your Government to extend the duration of the existing agreement for a further period in accordance with Article VI to allow the Bureau of Reclamation to complete plans and specifications and to perform such other services on behalf of the Government of the United Arab Emirates as may be mutually agreed upon.

On the basis of an exchange of letters dated May 23, 1978 and May 24, 1978 between you and the Director of the Abu Dhabi Presidential Court, Shaikh Suroor bin Muhammad Al Nahayyan, subsequently confirmed by a decision of the Council of Ministers dated June 12, 1978 (copies attached), I understand that authority for signature of the amendment to this Agreement has been transferred from the Government of Abu Dhabi to the Federal Ministry of Agriculture and Fisheries, together with authority for establishing the budget for services to be performed under this extension of the Agreement and for supervision of its disbursement.

By this letter I am pleased to inform Your Excellency that under and according to Article VI, the Bureau of Reclamation agrees to extension of the Agreement to September 30, 1980 to cover the period of project construction and initial evaluation in connection with a project for collecting and conserving water supplies from surface runoff. To complete this work

[1] TIAS 8408; 27 UST 3892. [Footnote added by the Department of State.]

requested by the Government of the United Arab Emirates, Schedules A, B, and C are revised and the revised schedules become a part of the Agreement replacing the original Schedules A, B, and C.

This extension under Article VI will become effective July 1, 1978 upon receipt of Your Excellency's written reply to this letter confirming the Agreement of the Government of the United Arab Emirates to the extention of the Agreement to September 30, 1980 and its acceptance of the revised Schedules A, B, and C which are enclosed with this letter.

Sincerely,

Francis M. Dickman

Francois M. Dickman
Ambassador

Enclosures:

Schedule A - Terms of Reference
Schedule B - Reclamation's Time Schedule
Schedule C - Summary of Estimated Costs
Schedule C Annex - Scale of Expenses - U.S.A. Budget

Attachments:[1]

1. Copy of Agreement between the Government of the Emirate of Abu Dhabi and the Government of the United States of America for the services of the Bureau of Reclamation - Department of the Interior dated July 10, 1976.

2. Letter of Minister of Agriculture and Fisheries to Ambassador of the United States of America, No. WZS/69/78 of January 8, 1978.

3. Letter of UnderSecretary of Agriculture and Fisheries to Director of the Presidential Court, No. WZS/TM/32/13/2/2153 of May 23, 1978.

4. Letter of Director of the Presidential Court to Minister of Agriculture and Fisheries, No. 27/2/1/1053 of May 24, 1978.

5. Memorandum of Minister of Agriculture and Fisheries to the Council of Ministers No. WZS/TM/32/5/4/2490/78 of June 3, 1978.

6. Decision of the Council of Ministers No. 393/21m of 1978, contained in letter from Minister of State for Cabinet Affairs to Minister of Agriculture and Fisheries, No. 1/Ain/27/550 of June 12, 1978.

[1] Not printed. [Footnote added by the Department of State.]

SCHEDULE A
(REVISED MAY 1978)

TERMS OF REFERENCE

1. The Bureau of Reclamation, Department of the Interior, United States of America, pursuant to the objectives stated in the prefatory clauses of the Agreement shall provide the services of personnel, home based as well as assigned to work in the United Arab Emirates, for varying periods for the purposes of implementing the following terms of reference:

a) to carry out a complete technical feasibility design study for collecting and conserving the waters from surface runoff in the UAE, including foundation, material investigations, geological and hydrological studies; prepare designs, specifications and cost estimates for the construction of dams and storage or groundwater recharge facilities; determine water supplies available for agriculture and domestic uses.

b) to prepare in consultation with the GOVERNMENT training programs for its selected technical personnel for training in the United States and provide such training.

c) to advise the GOVERNMENT on construction of whatever schemes are recommended.

2. The terms of reference shall also include:

a) reviewing all available hydrometeorological, geological, hydrological, hydrogeological and other relevant data; reviewing existing reports on or affecting the proposal; and detailing a program for the collection of such supplementary data as are necessary.

b) evaluating the effects of the construction of whatever schemes that may be recommended on the water potential of the various underground water aquifers which are presently utilized for various purposes.

SCHEDULE B
(REVISED MAY 1978)

RECLAMATION'S TIME SCHEDULE

This schedule shows RECLAMATION's estimated time schedule for performing the services described in Schedule A, Terms of Reference.

Work Item	Approximate Dates	
	Begin	Complete
Water Augmentation Report	Sept. 1977	Dec. 1978
Preliminary Designs and Estimates	Feb. 1978	Aug. 1978
Designs, Specifications, Cost Estimates and other Tender Documents		
Wadi Bih	Feb. 1978	Mar. 1979
Wadi Ham	April 1978	May 1979
Foundation Exploration	June 1978	Sept. 1978
Advise on Construction		
Wadi Bih	Jan. 1979	Sept. 1980
Wadi Ham	June 1979	June 1980

SCHEDULE C
(REVISED MAY 1978)
SUMMARY OF ESTIMATED COSTS

U.S.A. BUDGET (see Annex for details)

(to be transferred to Bureau of Reclamation, Washington)

	U.S. $
Designs, Specifications, Investigations, Tender Documents, and Administrative Costs for Denver:	355,000
Personnel Costs:	450,000
Contingencies:	75,000
Special Overhead Charge:	20,000
TOTAL:	$ 900,000

LOCAL BUDGET

(to be transferred to account no. 2-254 of the Water Supply Augmentation Project in the National Bank of Abu Dhabi, Abu Dhabi.)

	DIRHAMS
Housing:	720,000
Utilities:	150,000
Transportation:	200,000
Local Staff:	180,000
Office Supplies & Equipment:	100,000
Other Cost:	200,000
TOTAL:	DH.1,550,000

SCHEDULE C ANNEX
SCALE OF EXPENSES - U.S.A. BUDGET
MARCH 1978 TO JULY 1980

Position	Grade	Man-Months	Salary Benefits & Differential 1/	Allowances 2/	Travel & Per Diem	Transportation 3/	Suitability Screening	Total U.S.$
Construction Engineer	FC-11	21	$ 85,000	$17,000	$ 9,000	$14,000	$1,000	$ 126,000
* Civil Engineer	FC-10	12	$ 39,000	$11,000	$ 3,000	$ 4,000	-	$ 57,000
Construction Specialist	FC-9	21	$ 60,000	$17,000	$ 9,000	$14,000	$1,000	$ 101,000
Construction Specialist	FC-9	21	$ 60,000	$17,000	$ 9,000	$14,000	$1,000	$ 101,000
Geologist	GS-13	4	$ 15,000	-	$16,000	-	-	$ 31,000
Design Engineer	GS-13	2	$ 8,000	-	$ 9,000	-	-	$ 17,000
Foundation Specialist	GS-13	2	$ 8,000	-	$ 9,000	-	-	$ 17,000

Personnel Costs - Subtotal:		$ 450,000
Design, Specifications, & Tender Documents		
Wadi Bih	$170,000	
Wadi Ham	$ 90,000	
Foundation Investigations		
Wadi Bih	$ 55,000	
Wadi Ham	$ 30,000	
Technical Support, Denver		$ 345,000
Administrative Support, Denver		$ 10,000
Subtotal:		$ 805,000
Contingencies - 10% (±)		$ 75,000
Special Overhead Charge		$ 20,000
SCALE OF EXPENSES - TOTAL		$ 900,000

1/ Salary and benefits for TDY's include 17½% leave additive

2/ Post and Education Allowances

3/ Include storage of HHE not shipped to UAE.

4/ Include items such as salary increases reflecting inflation adjustment, promotions and other unforeseen or unpredictable changes.

* Presently serving on Bureau's UAE staff

The Minister of Agriculture and Fisheries of the United Arab Emirates to the American Ambassador

بسم الله الرحمن الرحيم

UNITED ARAB EMIRATES
Ministry of Agriculture & Fisheries

MINISTER'S OFFICE

دولة الإمارات العربية المتحدة
وزارة الزراعة والثروة السمكية

مكتب الوزير

Ref : MAF/SWD
Date : July 25, 1978.

U.S. AMBASSADOR TO THE U.A.E
ABU DHABI.

Dear Sir,

I have the honor to reply to your letter of June 24, 1978 informing me that under and according to Article VI of the July 10, 1976 agreement between the Government of the Emirate of Abu Dhabi and the United States Department of Interior, Bureau of Reclamtion, the Bureau of Reclamation has agreed to extension of the Agreement to September 30, 1980 to cover the period of Project construction and initial evaluation for the project to collect and conserve water supplies from surface runoff.

By this letter, I confirm the agreement of the Government of the United Arab Emirates to the extension of the Agreement from July 1, 1978 to September 30, 1980 and its acceptance of the revised Schedules A, B, and C which were enclosed in Your Excellency's letter.

Yours truely,

SAEED M. AL RAGBANI
Minister Of Agriculture & Fisheries.

الرقم : وزس/ ٢٧٢٢٩ / ٧٨
التاريخ : ٢٥ / ٧ / ١٩٧٨

سعادة سفير الولايات المتحدة الامريكية
المعتمد لدى الدولة

المحترم

تحية طيبة وبعد ،

اشارة الى كتابكم المؤرخ بتاريخ ٢٤/ ٦/ ١٩٧٨ والذي يشير الى الاتفاقية الموقعة في ١٠ يوليو ١٩٧٦ بين حكومة امارة ابو ظبي وحكومة الولايات المتحدة الامريكية بشأن خدمات مكتب الاستصلاح التابع لوزارة الداخلية لدراسة مشروع انشاء السدود المائية بالدولة والتي انتهت في ٣٠ يونيو ١٩٧٨ وكذلك الى موافقة المكتب المذكور اعلاه على تمديد الاتفاقية حتى ٣٠ سبتمبر لتغطية الدراسة والاشراف على انشاء وتقييم كفاءة السد في تغذية المخزون الجوفي والسيطرة على السيول .

لذا يسرنا ان نبلغ سعادتكم موافقتنا على تمديد هذة الاتفاقية من الأول من يوليو ١٩٧٨ وحتى ٣٠ سبتمبر ١٩٨٠ وعلى قبول المادة أ ، ب ، جـ من مسودة تمديد الاتفاقية

شاكرين لكم تعاونكم الصادق معنا ،
وتفضلوا بقبول فائق التقدير والاحترام ،

المخلص/
سعيد محمد الرقباني
وزير الزراعة والثروة السمكية